

A CERTIFIED TRUE COPY

ATTEST

By Jakeia Mells on Jun 30, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Jun 12, 2009

FILED
CLERK'S OFFICE

**IN RE: HEARTLAND PAYMENT SYSTEMS, INC.,
CUSTOMER DATA SECURITY BREACH
LITIGATION**

MDL No. 2046

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On June 10, 2009, the Panel transferred 17 civil actions to the United States District Court for the Southern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Lee H. Rosenthal.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of Texas and assigned to Judge Rosenthal.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of Texas for the reasons stated in the order of June 10, 2009, and, with the consent of that court, assigned to the Honorable Lee H. Rosenthal.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of Texas. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Jun 30, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION


Jeffery N. Lüthi
Clerk of the Panel

**IN RE: HEARTLAND PAYMENT SYSTEMS, INC.,
CUSTOMER DATA SECURITY BREACH
LITIGATION**

MDL No. 2046

SCHEUDLE CTO-1 - TAG-ALONG ACTIONS

<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>
ARKANSAS EASTERN			
ARE	4	09-384	Phillip Brown v. Heartland Payment Systems, Inc.
FLORIDA SOUTHERN			
FLS	9	09-80481	PBC Credit Union, et al. v. Heartland Payment Systems, Inc.
ILLINOIS SOUTHERN			
ILS	3	09-270	Stanley Leavell v. Heartland Payment Systems, Inc.